

EAG:TF
F.#2012R00571

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U.S. DISTRICT COURT E.D.N.Y.
★ MAY 29 2012 ★
Slt
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

ROBERT ALESSI,

Defendant.

- - - - -X

THE GRAND JURY CHARGES:

CR 12-157
Cr. No. 12-157
(T. 18, U.S.C., §§ 2252(a)(4)(B), 2252(b)(1),
2252(b)(2), 2253 and 3551 et
seq.; T. 21, U.S.C., §
853(p))
COGAN, J.

COUNTS ONE THROUGH FIVE
(Distribution of Child Pornography)

GO, M.J.

1. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendant ROBERT ALESSI did knowingly and intentionally distribute one or more visual depictions, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE</u>
ONE	pthc-childlover-p027.jpg	November 23, 2007
TWO	lsm-pthc-lsp-uft-47.jpg	November 23, 2007
THREE	lsm-pthc-lsp-uft-54.jpg	November 23, 2007
FOUR	lsm-pthc-lsp-uft-175.jpg	February 6, 2008
FIVE	lsm-pthc-lsp-uft-12.jpg	February 6, 2008

which visual depictions had been mailed, and shipped and transported in and affecting interstate and foreign commerce, and

which contained materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551 et seq.)

COUNT SIX
(Possession of Child Pornography)

2. On or about April 16, 2008, within the Eastern District of New York, the defendant ROBERT ALESSI did knowingly and intentionally possess matter containing one or more visual depictions, to wit: videos and images in computer files contained on a Simple Tech external hard drive and a CrossFire external hard drive, which visual depictions had been mailed, and shipped and transported in interstate and foreign commerce, and which were produced using materials which had been so mailed, shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant charged in Counts One through Six that, upon his conviction of any such offense, the government will seek

forfeiture in accordance with Title 18, United States Code, Section 2253, of (a) any visual depiction described in Sections 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18, United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses of conviction; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses of conviction, or any property traceable to such property, including, but not limited to, a Simple Tech external hard drive and a CrossFire external hard drive.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty;

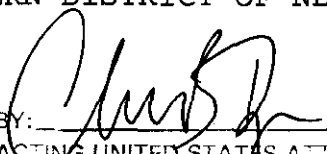
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON

LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. Q.136

FORM DBD-34

JUN. 85

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

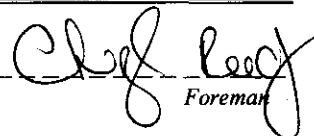
ROBERT ALESSI,

Defendant.

INDICTMENT

T. 18, U.S.C., §§ 2252(a)(2), 2252(a)(4)(B),
2252(b)(1), 2252(b)(2), 2253 and 3551 et seq.;
T. 21, U.S.C., § 853(p)

A true bill.


Foreman

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Tali Farhadian, Assistant United States Attorney, (718) 254-6290